

---

# Emergency Rules

---

## Title 20—DEPARTMENT OF INSURANCE

### Division 700—Licensing

#### Chapter 6—Bail Bond Agents and Surety Recovery Agents

##### EMERGENCY AMENDMENT

**20 CSR 700-6.100 Fees and Renewals—Bail Bond Agents, General Bail Bond Agents and Surety Recovery Agents.** The department is amending the title of the chapter and the title of the rule, the Purpose and sections (1) and (2).

**PURPOSE:** *This rule is being amended to implement the legislative changes enacted by Senate Bill 1122 in the 2004 legislative session of the 92nd General Assembly and to update and establish the licensing fees and requirements for bail bond and surety recovery agents.*

**PURPOSE:** *This rule sets the license and renewal fees for bail bond [and], general bail bond agents and surety recovery agents under sections 374.700–[374.775] 374.789, RSMo Supp. 2004.*

**EMERGENCY STATEMENT:** *This emergency amendment contains guidelines for the licensing of general bail bond, bail bond and surety recovery agents. During the 2004 legislative session, the General Assembly enacted Senate Bill 1122 which enacted the “Professional Bail Bondsman and Surety Recovery Agent Licensure Act,” (RSMo sections 374.695 to 374.789). SB 1122, effective January 1, 2005, substantially revises the requirements for licensure for bail bond licensees and grants the department regulatory authority over surety recovery agents. Specifically, SB 1122 imposes new licensing and education obligations on applicants for a bail bond license and prohibits any person, including all current surety recovery agents, from performing surety recovery activities in the state of Missouri as of January 1, 2005, unless licensed by the department. This emergency amendment is necessary to protect the public health, safety and welfare of Missouri citizens by ensuring the continued uninterrupted availability of bail bond and surety recovery services in the state of Missouri after January 1, 2005, including the continued recovery of fugitives and/or criminal defendants, by establishing procedures to allow the prompt licensing of bail bond and surety recovery applicants. As a result, the Missouri Department of Insurance finds an immediate danger to the public health, safety and/or welfare and a compelling governmental interest, which requires emergency action. A proposed amendment, which covers the same material, was published in the October 15, 2004 issue of the **Missouri Register**. The scope of this emergency amendment is limited to the conditions creating the emergency and complies with the protections extended in the **Missouri and United States Constitutions**. In developing this emergency amendment, representatives of the professional licensing, bail bond and surety recovery industries were consulted. Additionally, the department has previously published the emergency amendment on its website in an attempt to solicit comments from effected parties. The department believes this emergency amendment is fair to all interested persons and parties under the circumstances. This emergency amendment was filed October 29, 2004, effective January 1, 2005 and expires June 29, 2005.*

(1) Each application for license as a general bail bond agent, [or] bail bond agent **or surety recovery agent** must be accompanied by a licensing fee of [twenty-five] **one hundred fifty** dollars [(\$25)] **(\$150)** for the [one (1)] **two (2)**-year license. The fee for renewal of the license shall also be [twenty-five] **one hundred fifty** dollars [(\$25)] **(\$150)** for a biennial license.

(2) If a general bail bond agent, [or] bail bond agent **or surety recovery agent** fails to file for renewal of his/her license on or before the expiration date, the Department of Insurance will issue a renewal of

the license upon payment of a late renewal fee of twenty-five dollars (\$25) per month or fraction of a month after the renewal deadline. In the alternative to payment of a late renewal fee, the former licensee may apply for a new license except that the former licensee must comply with all provisions of sections [374.725] **374.710 and 374.784**, RSMo regarding issuance of a new license.

**AUTHORITY:** *sections 374.045, RSMo [Supp. 1993] 2000 and 374.705, 374.710, 374.730, 374.783, 374.784 and 374.786, RSMo Supp. 2004. Original rule filed March 14, 1994, effective Sept. 30, 1994. Amended: Filed Sept. 14, 2004. Emergency amendment filed Oct. 29, 2004, effective Jan. 1, 2005, expires June 29, 2005. An emergency and proposed amendment covering this same material will be published in the Dec. 1, 2004 issue of the **Missouri Register**.*